

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANTHONY LASHAWN POPE,

Petitioner,

vs.

D. K. SISTO, Warden,

Respondent.

No. C 07-0434 CRB (PR)

ORDER OF DISMISSAL WITH
LEAVE TO AMEND

Petitioner, a state prisoner incarcerated at California State Prison, Solano, filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging a conviction from the Superior Court of the State of California in and for the County of Alameda. Several weeks later, he filed an amended petition seeking to add a newly-exhausted claim.

The petition and amended petition will be DISMISSED with leave to amend to file a second amended petition containing all exhausted federal claims petitioner wishes to pursue in this habeas action. The amended pleading must be simple and concise and in the court's habeas form (a blank copy is attached). The pleading must include the caption and civil case number used in this order and the words SECOND AMENDED PETITION on the first page. Failure to file a proper amended petition within 30 days of this order will result in the dismissal of this action.

SO ORDERED.

Dated: May 29, 2007



CHARLES R. BREYER
United States District Judge